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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/748,683

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William Arthur Stewart Buxton

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EXAMINER

AMINI, JAVID A

ART UNIT

PAPER NUMBER

2628

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PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/748,683

Applicant(s)

BUXTON, WILLIAM ARTHUR
STEWART

Examiner

JAVID A. AMINI

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 26 February 2008.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-6,8,9,11-17 and 19-24 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-6, 8-9, 11-17, 19-24 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

Response to Arguments

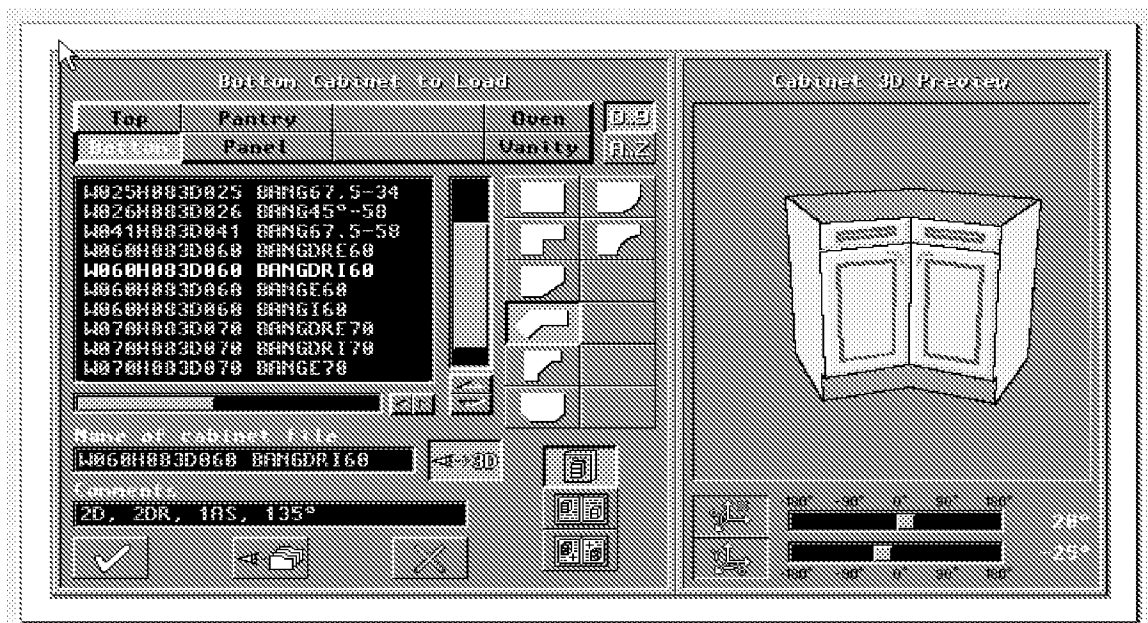
Applicant's arguments filed 2/26/2008 have been fully considered but they are not persuasive.

The objected claim 2 has been withdrawn.

In response to Applicant's argument page 6 last paragraph that the second reference Deco Tech does not show any structure allowing any modification to the object. Examiner disagreed, because in the figure clearly illustrates the structure which is recited in the claim limitations. E.g., in the figure shows a 3d preview of a cabinet that can be modify by changing or editing the orientation/location of the cabinet selecting different angles in x and y axes (see two horizontal bars). Examiner believes that one skilled in the art would easily interpret what is taught by DecoTech with respect to claimed language, e.g., the figure on page 7 illustrates more than two graphical user interfaces (e.g., a scrollbar/toolbar/text/etc that recited in claims 8 and 19, see page 8 of remarks), e.g., the cabinet is considered as a graphical object, and changing the angle of point of views the graphical object automatically changes relative to a graphical window or to the display, see figure below.

In response to applicant's argument that the DecoTech fails to show certain features of applicant's invention (see page 7), it is noted that the features upon which applicant relies (i.e., refers to paragraph 0007 of the specification states that the display may be rotated, where the rotation of the display is sensed,) are not recited in the rejected claims. Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

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In response to Applicant's argument on page 8 regarding claims 8 and 19, Buxton teaches in col. 1 lines 5-14, and DecoTech with respect to claimed language, e.g., the figure on page 7 illustrates more than two graphical user interfaces (e.g., a scrollbar/toolbar/text/etc that recited in claims 8 and 19, see page 8 of remarks), e.g., the cabinet is considered as a graphical object, and changing the angle of point of views the graphical object automatically changes relative to a graphical window or to the display.

Examiner's notes: Applicant's arguments against the references individually (i.e. the reference DecoTech), can be seen on pages 6-8 of remarks; one cannot show nonobviousness by attacking references individually where the rejections are based on combinations of references.

In view of the above, it is submitted that the previous rejection is still maintained.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-6, 8-9, 11-17, 19-24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Buxton et al. 6,115,025, hereinafter refer as Buxton, and in view of DecoTech Design Software Inc. 1992-2002, hereinafter DecoTech.

1. Claim 1,

As per claim 1, “A graphical user interface displayed on a display and comprising a first graphical user interface part and a second graphical user interface part, the method comprising:”, Buxton in figs. 3a and 3b clearly illustrates two parts 34 and 30.

Buxton does not show the first graphical user interface part is automatically reoriented relative to the display in accordance with a change to orientation/location information; and allowing the second graphical user interface part to remain in a same orientation relative to the display regardless of the change to the orientation/location information.

However, DecoTech teaches the first graphical user interface part is automatically reoriented relative to the display in accordance with a change to orientation/location information; and allowing the second graphical user interface part to remain in a same orientation relative to the display regardless of the change to the orientation/location information (e.g., in figures on page 7 illustrate graphical objects at the right sides i.e. similar to

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the first graphical user interface part of the claim language, and a user may be modified the objects by changing the orientation of it while the left side of the display i.e. similar to the second graphical user interface part remains in a same orientation regardless of the change to the location).

Thus, it would have been obvious to a person skill in the art at the time of the invention to combine DecoTech into Buxton, in order to minimize the complexity of editing of multiple objects, e.g., change absolute and/or relative position, attributes and color crayons.

2. Claim 2,

A method according to claim 2, wherein the first part is a first user interface element and the second part is a second user interface element. Buxton at col. 4, line 30 teaches the claim limitations.

3. Claim 3,

A method according to claim 2, wherein a user explicitly determines the change to the orientation/location information. Buxton in fig. 6 step 86 teaches the claim limitation.

4. Claim 4,

A method according to claim 3, wherein the explicit determination comprises the user interactively inputting information that indicates an orientation. Buxton in fig. 6 step 86 teaches the claim limitation.

5. Claim 5,

A method according to claim 2, wherein the change to the orientation/location information is determined automatically based on a spatial orientation/location change relative to the display. The rejection of this claim is similar to the rejection of claim 1.

6. Claim 6,

A method according to claim 5, wherein the automatic determination comprises at least one of sensing the orientation of an input device, sensing the orientation/location of a user, automatically identifying an identify of a user. Buxton in fig. 6 step 88, and in fig. 7 steps 112, 120 teaches the claim limitations.

7. Claims 8-9, 11-12,

Regarding claim 8, the combination of the two references teach the claimed limitations, and claim 8 is rejected with similar reason as set forth in claim 1, above. In view of following claims' limitations, it is not necessary to repeat, the rejection of claims 1-6 applies to rejection of claims 8-9, 11-12.

8. Claims 13-17, 20-24,

Claim 13 is rejected with similar reason as set forth in claim 1, above. The rejection of claims 1-6 applies to rejection of claims 14-17, 20-24.

9. Regarding claim 19, the combination of the two references teach the claimed limitations, and claim 19 is rejected with similar reason as set forth in claim 1, above. Buxton teaches in col. 1 lines 5-14, and DecoTech with respect to claimed language, e.g., the figure on page 7 illustrates more than two graphical user interfaces (e.g., a scrollbar/toolbar/text/etc that recited in claims 8 and 19, see page 8 of remarks), e.g., the cabinet is considered as a graphical object, and changing the angle of point of views the graphical object automatically changes relative to a graphical window or to the display.

Examiner's note: The second reference DecoTech on page 4 at the right top figure, each object contains its own user interface tool i.e. linked to object, pattern libraries. Applicant may

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be emphasized more the significant of the claimed invention over the prior arts on his next remarks.

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to JAVID A. AMINI whose telephone number is (571)272-7654. The examiner can normally be reached on 8-4pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kee Tung can be reached on 571-272-7794. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Javid A Amini
Primary Examiner
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